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Interested in writing for *The Energy Dispatch*? Young energy professionals may submit articles or ideas for our next issue to IEL's Associate Director, Vickie Adams (vadams@cailaw.org).

Upcoming IEL Events

History's Biggest Commodity Boom & the Third Age of Oil and Gas Law - July 23, Live Webinar

10th Law of Shale Plays Conference
September 4-5, Pittsburgh, PA

Cybersecurity and Data Privacy Law Conference
September 10-11, Plano, TX

ITA-IEL-ICC Joint Conference on International Energy Arbitration – Singapore - September 18-19, Singapore

12th Annual Young Energy Professionals' General Counsel Forum – September 26, Houston, TX

Doing Deals: Energy Transactions for Young Energy Professionals - October 9, Houston, TX

Energy Transactions Conference - October 10, Houston, TX

Young Litigator Oil & Gas Conference
November 13, Spring, TX

18th Annual Energy Litigation Conference
November 14, Spring, TX

6th Midstream Oil & Gas Law Conference
December 11, Houston, TX

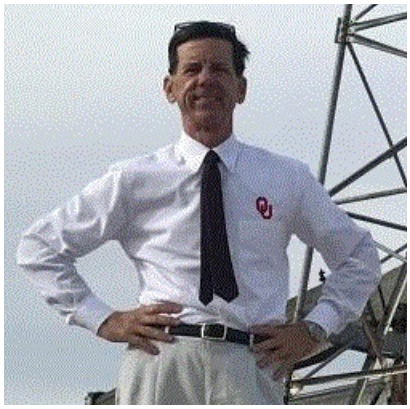
Visit our website for our full calendar and a list of our online offerings!

Interview of Professor Joe Dancy

Eric Camp, Decker Jones, PC

Professor Joe Dancy is an adjunct professor of energy and environmental law at the University of Oklahoma Law School, Oklahoma City Law School, University of North Texas Law School, and Southern Methodist University Law School. He was formerly the Executive Director of the Oil & Gas, Natural Resources, and Energy Center at OU Law School. In addition to teaching, Professor Dancy is an avid investor. He ran a private investment partnership for over 20 years and has served on the Board of Directors of publicly traded companies.

I had the pleasure of taking Professor Dancy's Oil & Gas Environmental Law course at SMU Law and recently caught up with him to talk a little about his interesting and diverse career path and his advice for young energy lawyers.



EC: How and why did you get in to the energy industry?

JD: I always knew I wanted to be in the mining or energy industry. I am not sure why. I grew up in Detroit with no family in the industries. But the size, technology, remote locations, cost, and the transport and mining of coal, silver, gold, iron ore, oil, and the like always interested me.

The easiest way to get into the industry was to get an engineering degree in mining and mineral processing. The mining and processing of the ores was just fascinating – and used a lot of energy. So over time I worked in the copper, molybdenum, iron ore, uranium, coal, offshore drilling, pipeline, and oil and gas industries, and finally, today, also in renewable energy.

But "worked" is not the correct term. I am doing what I love. So I am not working. This makes things all the more enjoyable from a quality of life standpoint. I emphasize to my students that they have to find something they really like to do, then have the courage to go do it.

EC: Why did you make the change from law to business? From business to academia?

JD: I've always had an interest in investing – particularly the teachings of Charlie Munger and Warren Buffet. Dr. Thomas Stanley in his book *The Millionaire Next Door* claims that successful people see a niche that others do not, then go and exploit it.

In my case, I was a 13-year attorney working in-house for a pipeline company when Congress passed the

Telecommunications Reform Act of 1996. The government was going to create an environment where companies would spend billions to install fiber optic along pipeline right of ways, nationwide. The opportunities were incredible. I found a public company installing fiber, invested heavily in the company, and ultimately made a fortune with the investment.

That gave me a new freedom over my career. From there I set up an investment partnership, identical to the ones Buffett and Munger set up early in their careers. The returns of my investment partnership have been very satisfying but volatile. Using legal research skills, technological knowledge, and some basic finance skills, we found a niche and bet heavily when the odds are in our favor.

I also love teaching and have taught now for 40 years, including 34 years at law schools. I consider myself an entertainer and tell the students that I am like a comedian. Like Steve Martin, I have tested my jokes over time, and if they don't work they are cut from the act or reformulated. My classes are always top rated by the students, and since law schools don't pay adjunct professors much, my services have always been in high demand. But again, I do it because I love it, not for the money.

So as you can see, I haven't necessarily changed from law to business to academia. I've always been interested in the law, investing, and teaching and have found a way to weave those into my various professional activities over the years.

EC: What advice do you have for young energy attorneys about their careers?

JD: You need to take risks in your career and in your life. When you go to a hospice and ask those with months to live what their greatest regret was, the studies indicate that by far their greatest regret was that they did not take the risk needed to pursue their dreams. It does not matter if they pursued their dream and failed. Those parties tended to be content in their last days. It was the 'bridge not crossed' folks that had the most remorse.

But you have to take controlled risks. Like a good geologist, you have to "de-risk" the prospect by drilling wells. You will drill "dry holes." I have figuratively drilled plenty. But with each failure, you learn something important. And you don't risk it all; rather, you structure things to survive a worst case scenario. Because, in the end, one or more of your ventures will turn out worst case. It will be a dry hole.

My students are always shocked when I tell them that the most successful individuals in my classes will be in the bottom 50%. They think it is a joke. It is not. They will be forced to take risks that those in the top 10% of the class will not. Those at the top will have high paying jobs with well-known firms, which they will not risk leaving. Then I show them a chart of the IQ distribution. Your IQ correlates quite closely with the LSAT score, and note that intelligence wise even the lowest law student has an IQ in the top 20% of the population.

So the intelligence, dedication, discipline, ability to handle structure, understanding of how business and society works, coupled with a need to take risks, for those in the bottom 50% of the class mean that the probability is pretty high that they will be good at what they do. If they find something they like to do.

So taking calculated risks is essential for success. Bet heavily when the odds are in your favor, as Charles Munger advises.

EC: You've written a lot recently about the use of drones in the oil patch and security issues with pipeline infrastructure. What do you see as current issues in the energy industry from technology advancements?

JD: Water, sourcing, and disposal are huge issues in the industry. Horizontal wells use 50 times as much water to frac as older, vertical wells. The numbers are stunning. All I heard about when I visited field operations in Midland was "where are we going to get the water to frac?" The second question was "where are we going to get the frac crews we need?" It is a real problem.

Water disposal is also an issue. The average Permian well produces eight barrels of water for every barrel of oil. And it is twice as salty as seawater. And hot. Therefore, it is very corrosive. Induced seismic issues are moving toward the Permian from Oklahoma. These oil operations are almost water circulation systems with oil as a side product.

Water has become the major focus of my energy environmental law class. Lots of money involved. Lots of environmentally dangerous stuff. Lots of opportunities. I tell my students to be aware of opportunities in this area.

EC: You're still extremely active in your energy career. What gets you excited each day to get up and go to work?

JD: Using modern technology to broaden my network and reach to tell the story of the energy sector to the world.

What excites me these days and should excite any young lawyer is that studies indicate that, provided that you meet certain levels of professional competence, a lot of what is considered "success" or "excellence" is a function of your network. And with today's organizations and social media, the ability to build a network is unparalleled. With a strong network you can be considered an expert globally, even working out of downtown Ponca City, Oklahoma for example.

Of course, as a new associate with a firm or with a company, conflicts with clients, potential clients, partners, and managers can make the use of social media dangerous for your career. But with the risk is also the potential for the young attorney to build an expert reputation globally.

In the last year over 7 million people have viewed my energy posts on LinkedIn. Dozens of speaking opportunities have arisen. Reporters from leading publications have called. Magazines have solicited articles. People want pictures with me at seminars, like I was a well-known television reporter or something. It is gratifying.

And it is lucrative. The U.S. Chemical Safety Board hired me to assist in their investigation of the Pryor Trust #9 well blowout. A half dozen of our online Master in Law students indicate that they signed up in part due to my leads. A consultant we hired determined that the online exposure, if we had to buy it, would be worth just over $100,000 a year.

So yes, this excites me, the ability to tell the story of the energy sector via social media. And become a globally known expert from the seat in my office.

EC: If you were a young energy attorney just starting your career, what would you want to be working on and why?

JD: Over the last decade we have experienced a technological miracle. From concerns of peak oil to plenty because of private mineral ownership in the U.S., deep capital markets, and the rule of law. I tell my students you want to go into a field that is growing with a firm or company that is growing. That is where the opportunities lie.

In the U.S. last year, we had record energy consumption. Record oil production. Record natural gas consumption. Record NGL production. Record exports of NGL's, crude oil, and refined products. Billions spent on upgrades to chemical plants and refineries. Billions spent on new pipelines. Record installation of solar and wind turbine generators. The wealth that has been created and that will be created is just incredible.

My advice is to find an area or niche that interests you–any area–and become a voice in that space. Love what you do. Don't just work for money.

Take risks. Make a difference. The future has never been brighter.

YEP Member Highlight

Louis "Louie" Layrisson
Partner at Baker Botts L.L.P.

Interview by Anna Gryska, Winston & Strawn LLP

Six Days in Court

Louie's practice focuses on trying commercial disputes for a variety of clients in the energy space, including E&P companies, manufacturers, service providers and downstream refiners. Earlier this year, Louie achieved a significant victory for one such client, an upstart oil and gas service company. After years of litigation, Louie was the client's first chair attorney during a six day jury trial. Ultimately, the jury awarded Louie's client over $5 million in damages!

An Exemplary Member

As a young lawyer, Louie attended IEL conferences and has continued to be involved in YEP membership initiatives. Last year, he helped kick off the YEP Energy Litigation 101 program. He is a member of the IEL Executive Committee and is looking forward to new initiatives and projects for the organization.

Out of Office

Louie spends his time out of the office with his wife, Maggie, and their three children. He also spends significant time "obsessing" over LSU sports. He is currently campaigning to convince his six-year-old son to love golf as much as he does and seems to be making progress. Louie enjoys traveling. So a trip to the Masters may be in their future!

Advice for Young Lawyers

"Stretch your comfort zone and seek out mentors. I arrived in Houston with a small professional network and no energy background. If you're willing to try new things and put in the time, you can find some great opportunities.".

Let's Talk about It Now, So HR Doesn't Talk to You about It Later

Vickie Adams, Institute for Energy Law

> *"Are you having twins?"*
>
> *"Wow, you're really pregnant."*
>
> *"Are you sure you aren't due sooner? You look like you could pop any day now."*

These are words that no pregnant woman wants to hear, but she probably will. Pregnancy can be a beautiful thing; however, it's definitely not easy, especially when juggling with a demanding career, such as law.

As lawyers, we are used to analyzing issues and giving our recommendations. Unfortunately, we sometimes forget to spend the same amount of time analyzing our own actions. We may be so focused on the actual law that we forget that, as a profession, we should also focus on best practices, which can start in our own companies and law offices.

Research shows that one of the main reasons that women leave the legal profession is due to work/life balance or integration (whichever term you prefer). While most would probably assume that means balance after children are born, I am inclined to believe that the balancing act starts for a lawyer before she gets pregnant.

The profession has come a long way in the last several years to make having both a career and a family life easier, thanks to both trailblazing women who pursued careers while having families and to forward-thinking employers who were willing to change the status quo.

However, there are still improvements that the legal profession, as well as other industries, can make. And the path to improvement must start with talking about some of the issues that cause people to become uncomfortable in their workplace. It also means sharing some of the great things that employers do that make their employees feel valued and comfortable during a difficult stage of life. These topics raise a lot of tough questions. I do not have all the answers, because each situation is unique. But, I hope to get people talking about this very important subject now, so that employees and employers can find solutions that work for them.

When I was pregnant, several areas were difficult for me to navigate in my job. In an effort to start the conversation of making workplaces more comfortable for those that are pregnant, I will share some of my experiences and the experiences of other women working in the legal profession who have had children in recent years.

Informing Co-Workers & Employers

When I was pregnant with my first child, while the timing was right for my husband and me, I worried that it may not be right for my job. I had been working toward a promotion for a while, and I was concerned (probably irrationally) that going on maternity leave would jeopardize that. What will they do without me for three months? What if I am not as valuable as I think I am? I put off telling my employer for as long as I possibly could.

When I finally did inform my supervisor, he did a great job of making sure that I knew I was a valued employee, and that he was very happy for me. We worked together to create a roadmap for the next several months. Before I went on leave, I made procedure and status sheets, so that others could take over where I left off when the time arose. I also had several conversations with my supervisor to determine which areas of my work could be postponed until my return.

By the time I was pregnant with my second child, I no longer had the same concerns about losing my value as an employee. I knew up front that I was okay with putting in extra work during the early stages of my pregnancy to make sure that things went smoothly while I was out on leave. However, some advice that I can offer to all of the supervisors out there: if one of your employees comes to you to tell you that she's pregnant, please, please, please do not say, "I knew it" or anything similar (not that this happened to me personally).

Fun things like morning sickness, weight gain, and frequent doctor's appointments often make it very difficult to put off telling your co-workers. One woman I spoke with had such severe morning sickness that she ended up telling her employer when she was only nine weeks pregnant. Most women wait to inform people until around twelve weeks when the risk of miscarriage greatly decreases. On informing her employer early, she said, "I do not regret this decision and wish more women felt comfortable discussing their pregnancies."

Work Load

Unfortunately, not all women are able to say that once they inform their employer of their pregnancy they still feel valued

as an employee. There are multiple, pending discrimination lawsuits against firms that illustrate that some women fear that their employers will put them on the "mommy track" or force them out their job when they have a child and take maternity leave. This is not just damaging to the particular employee who feels she was mistreated. It impacts other women working in the same sector who read that headline and worry that something similar could happen to them, especially if they have not seen other female colleagues go through these issues and therefore do not know how their employer will handle the situation. Female law students may even look for alternative ways to utilize their degree if they think that they will be unable to combine having a family and successful law career. Women pay attention to these issues, and one misstep now could cause a firm to lose talent in the future.

Often a woman has worked with a client for a substantial period of time and developed a strong relationship and then a case or issue involving that client comes to a crucial point around the time that she is due. Will the woman be asked to take a step back or completely give up the case? Will her employer expect her to carry on as if nothing is different? Or will the employer have a conversation with the woman about how she would like to proceed and then work with the client to create a new plan and timeline going forward?

I wish I could give employers an easy answer on this. Unfortunately, the best way to proceed with client issues while an attorney is on leave and leading up to it is not a one size fits all answer. What is meant to be a 16 week leave could easily turn into something longer if health issues arise. It can be disappointing to turn a matter over to a colleague when you have poured hundreds of hours of hard work into it. But sometimes handing it over is best for the client. On the other hand, some client matters will be fine "on hold" or will only require minimal maintenance for the time the attorney is on leave. And when the attorney returns, they can jump right back in to working on the matter.

The main piece of advice I can give is for attorneys and employers to talk about these issues a lot. Start talking about work load and what will happen in cases when the attorney is on leave, and continue the conversation throughout the period before the leave. Every case is different, every person is different, and every leave is different, but everyone needs to be on the same page. When employees and employers have these conversations in advance, the employee can gain a better understanding of their value in their office and ask for assignments they want, and the employer can gain a better understanding of the employee's commitment to their workload. One senior associate told me, "[o]ur obligation as a profession is to include, and then allow the person the freedom to decide."

When asked if she was treated any differently regarding work assignments while pregnant, another woman I spoke with shared the following story about her time working at a firm:

> During my second pregnancy, I was seven months pregnant with twins and feeling contractions on and off, yet still working 12+ hour days on a public company merger. I was in a lot of physical pain from sitting at a desk for so many hours per day and the client was unaware that I could have gone into labor at any moment. It is good for pregnant women to be treated as equals in order to give opportunity but as a result [it] can be very challenging for the pregnant lawyer to manage.

Recently, more press has been given to this particular issue in trial settings. Judges and some states are getting directly involved by laying a clear policy for parental leave for lead attorneys in cases. Clear-cut policies in instances such as a trial where a continuance will not prejudice the parties are very helpful. Without such clarity, a woman may feel early on in her pregnancy that she has to take a step back from a matter and allow someone else to lead. This is a problem for a variety of reasons, including the fact that it may leave the client with a lead lawyer that was not the client's choice.

While it is always important to make sure that a pregnant woman is not having any health issues, it is also important to realize that pregnancy does not disqualify her from being capable of completing a task and doing so well. If a woman is the right person for a case when she is not pregnant, she should still be the right person for the case when she is pregnant.

Comments on Body Image

When I was a 3L in law school, a good friend and classmate of mine had a baby. We worked in different cities the summer between our 2L and 3L years and had not kept in touch. So I was surprised when, on our first day of our 3L year, she was visibly pregnant. She had not told me that she was pregnant, so I did not mention it to her. A few days later, she said, "You know I'm pregnant, right?" With the timing of our summer break, she had forgotten whom she had and had not told.

After she brought the topic up to me directly, I could tell that she was open to talking about it. Prior to that, even though she was a friend, I had no right to talk to her about it. As one wise woman shared with me, "Unless someone is going into labor in front of you, do not ask if they are pregnant. They will tell you when they are ready, not when you ask."

"I would not casually tell a co-worker, man or woman, that their clothes look tight, their stomach looks 'bigger today,' they have glowing skin, ask if they are tired, or touch their bodies," said one in-house counsel who has worked through multiple pregnancies within her company. "However during

the months that I was showing at work, all of those things happened to me. I found it very strange that people wanted to talk about my body and my weight gain, which we would not do under any other circumstances."

Pregnancy is not an excuse for the social norms by which we live to go out the window. The offhanded, well meaning comment that you make to a pregnant woman about her growth or how far along she is may not sound so well meaning to that woman. On this point, I want to note that in my experience, both women and men are guilty of these offenses.

One woman told me a story about an offhanded comment made during her pregnancy that stuck with her. She was six months pregnant and was in a colleague's office for a conference call. While going through the introductions, her co-worker said, "I'm here with a very pregnant Sally [not her real name]". The co-worker in no way meant to offend her, but she said she will probably remember that comment for the rest of her life. Fortunately, she felt comfortable enough in the situation to call the co-worker out on the comment. She let the person know that, while she was pregnant, it was irrelevant to the situation.

Another woman that I spoke with recently told me of a colleague that came up to her and said, "Are you sure there aren't twins in there?" I highly doubt this colleague had any malicious intent when she made the comment, but it was still out of place.

The last thing a pregnant woman needs is someone implying that they have gained a lot of weight, even if weight gain in pregnancy can be a good thing because it can mean the baby is growing and healthy.

Conclusion

Within our jobs, we need to work to create cultures where employees feel valued and comfortable enough to share things in their lives, such as a pregnancy. If we do not do so, people are left to work through issues in isolation, which can create fear regarding their standing in their job.

Pregnancy can actually be a really great time for co-workers (both men and women) to bond over parenting issues, such as choosing a pediatrician, child care, sleepless nights, navigating maternity leave, and so much more. However, do not try to have one of these conversations if the woman has not informed you that she is pregnant.

We have all said things without really thinking. And there may even be times when we have to remember that a comment made to a friend outside of work is different that a comment made to a friend at the office. All I am asking is that each of us (myself included) pay a little more attention.

Local Content in Ghana: an effective implementation?

Luís Miranda, Miranda Law Firm

As governments look for ways to elevate local capacity and bolster economic development, right-sizing local content policies and programs can incentivize financial investment and technical and technological transfers that will benefit countries competing to attract the best foreign investors, as well as companies searching for the most attractive markets to maximize efficiencies and manage costs.

Pressure to use local content (e.g. local workers, companies, goods, and services) in large-scale or mega-projects continues to increase. For growing markets, particularly in Africa, it is seen as a catalyst for rapid development. However, striking the balance between short-term job creation and longer term specialization, diversification, and supply chain development is a challenging issue for governments, companies, and communities alike.

Use of local workers and suppliers can be the most efficient way to execute key aspects of a project, while other jobs require specialized skills not available among nationals. This reality can become a source of socio-economic and political tension when local supply and project demand are not well understood by all stakeholders. This is compounded when there is a need to "ramp up" to thousands of skilled workers in a very short period of time relative to the labor force that is realistically accessible within the market, or when companies bring their own labor force into the project but leave behind very little that can be transitioned into meaningful local contribution.

Many developed, oil-producing countries have used their natural resources as a major tool to propel development and improve the living conditions of their people. It is with this background in mind that the 2007 discovery of oil in commercial quantities in Ghana was embraced with euphoria by many Ghanaians. This optimism was underpinned by the expectation that the newly discovered resource would contribute significantly to an accelerated growth of Ghana's economy and development levels. Ghanaians expect to benefit from the oil resources through the expansion and deepening of indigenous businesses in the oil and gas sector, increased job opportunities, possible access to cheaper oil and gas for internal consumption, and revenue from oil and gas resources for national development.

The applicable legal framework

In an effort to ensure that the benefits created through the development of the oil resources meet these high hopes and expectations, Ghana's Parliament passed important legislation, such as the Petroleum Revenue Management Act,

to ensure that the country's petroleum resources were well managed to the benefit of Ghana's people. The Petroleum Local Content and Local Participation Regulation was also passed in 2013 to give legal backing to the Local Content and Local Participation Policy Framework that was formulated in 2011. Largely, the Local Content Regulation seeks to enhance local businesses by increasing patronage of local goods and services within this important sector. Such patronage should in turn improve the capacity and the international competitiveness of domestic businesses.

A key aspect of the Local Content Policy is that it targets a minimum of 90% local participation in all parts of the oil and gas value-chain by 2020. The legislation requires that an oil and gas company or firm must obtain between 60% and 90% of its goods and services from domestic sources within ten years of its commencement of operations in the Ghana oil and gas industry. Similarly, the legislation targets a local content of between 60% and 80% in various onshore engineering services within ten years of operating in the oil and gas sector. In turn, fabrication and construction companies are expected to utilize between 50% and 100% local content also within ten years of starting operations. In fact, the only areas in the regulation requiring an oil and gas company to use below 50% local content and participation within ten years are those in the health, safety, and environment service areas.

The urgency with which Ghana passed the Local Content and Local Participation Legislative Instrument has been highly commended by key stakeholders within the local private sector, development partners, and civil society organizations. It was considered a major step towards ensuring that those businesses and the people of Ghana could benefit from the country's oil resources and will likely serve as a benchmark for other industry areas.

Discrepancy between theory and reality

Despite the expeditious enactment of the Local Content and Local Participation Regulation, analysts and industry experts are not convinced that Ghana has done the necessary preparatory work to ensure that the capacity of local workers, businesses, and companies is duly built up so as to enhance their capability to deliver the desired quality of goods and services to the oil and gas sector. The Government has acknowledged three key challenges that it has confronted when attempting to ensure that the ambitious local content requirements in the regulation are met: (i) human resource capacity, (ii) finance, and (iii) technology. In particular, the upstream oil and gas industry is highly technical throughout all phases: exploration, development, production, and decommissioning. Therefore, it may take Ghana some time to develop a pool of experts in the numbers required to make the local content impact it desires. The technological strength to undertake sophisticated and expensive exploration and development activities in the upstream oil and gas sector is a challenging imperative if the local content ideal is to be fulfilled. Significant capital outlays are needed to finance exploration, development, and production of oil, and few finance houses and local companies (if any) have the financial muscle or willingness to venture into such investment opportunities.

The Government, for its part, has initiated some measures to ensure that the capacities of local businesses are built so that they can competently provide goods and services across the entire oil and gas industry value-chain in the country. For example, the GNPC Oil and Gas Learning Foundation was established to train workers and build local capacity in the oil and gas sector, and it has offered scholarships to Ghanaian students to undertake oil and gas-related study programs abroad. Tertiary educational institutions have partnered with industry players to provide training opportunities dedicated to science and technology in the sector. The Enterprise Development Centre was also established in 2013 by the Jubilee Field partners and the Government to build capacity and to support indigenous small and medium enterprises wishing to take advantage of the emerging business opportunities in the oil and gas sector.

Nevertheless, evidence shows that the challenge to meet the local content targets and benchmarks remains an uphill battle. Total activities in the petroleum upstream sector were reported at 6.3 billion dollars between 2010 and 2015. Out of this, foreign companies were reported to have provided goods and services worth 5.3 billion dollars, with local companies and/or businesses managing a paltry one billion dollars. With less than one year to achieve the 2020 target of 90% local content and local participation, these results only represent 18.8% of the latter.

The foreign companies within the sector have argued that many local businesses are not able to deliver the desired quality within the stipulated time and budget lines. As such, they are forced to use more competitive international service providers. On their side, the local companies complain, in large part, that they lack the appropriate incentives to enhance their capacity to deliver, and that not all opportunities are made available to them by the International Oil Companies (IOCs).

Steps in the right direction

It would seem therefore, that to accelerate efforts towards attaining the local content targets in the medium to long term, the Government must act quickly to close the gap in capacity between the international and the local service providers. Human resource capacity building, strengthening, and raising

the confidence of the financial sector, putting measures in place to facilitate technological development, and other technical attributes are some of the key actions that could put Ghana on the competency map of the global oil and gas sector.

One incentive that could be adopted to attract indigenous businesses entering the oil and gas sector may be in the form of tax holidays for ten years, as granted to foreign companies producing export goods in the Free Zone enclaves. Another possibility is for indigenous companies to also not be charged subscription fees by the Petroleum Commission. This could serve as a major incentive to qualified local companies to participate and compete effectively with foreign players for petroleum sector contracts.

There is also the need to scale-up capacity building programs, so that more local companies and individuals would be technically equipped to the level of the international firms. Any local content legislation without the backing of a comprehensive capacity building program is bound to fail. The Government must also work harmoniously with the IOC's to enhance the implementation of bidding processes that assist local firms to bid without necessarily giving them an undue advantage.

It is also important that some concessions are provided under the legislation. For example, it is worth noting that with regards to petroleum agreements or licenses, L.I. 2204 makes it possible for the Minister of Energy to waive the 5% equity participation requirement of an indigenous Ghanaian company. Similarly, the Minister can waive some of the local content targets if it is apparent that there is no local capacity in a particular field in the oil and gas sector in the short term.

Experts and analysts in the oil and gas sector are of the view that Ghana's slow progress towards the local content targets demonstrates that the country is unlikely to meet the targets due to their unrealistic nature. It has been argued that the targets are too high when the local oil and gas industry is still relatively young. This can be compared to a mature oil industry like Brazil, which has local content requirements running as high as 70% and has still had issues in meeting such target. Pundits leaning in favor of this argument believe that Ghana's nascent oil industry may be less attractive to international investors if the local content regulation is applied in a stringent manner in the medium-term. In turn, Angola and Nigeria started producing oil in the mid-1950's, but these countries only enacted their formal local content policies after 2000. Thus, there may be some merit in the argument that, despite the yawning capacity gaps in skilled human capital and institutional finance confronting local businesses, strict adherence to the highly ambitious local content requirements may be counterproductive, as it can make Ghana's oil industry uncompetitive and unattractive to international investors.

Conclusion

The evidence suggests that Ghana's Local Content and Local Participation Legislation could be more effective in stimulating the growth of indigenous businesses in the oil and gas industry. If the local content legislation is backed by a comprehensive and well targeted capacity building program, financial, and tax incentives for local businesses, growth of local businesses and jobs will be accelerated in the medium to long term. Countries such as Norway, Brazil, Malaysia, and Trinidad and Tobago have excellently used similar strategies to engineer the growth of indigenous businesses, jobs, and their economies. Ghana could learn from their example.

General Maritime Law Punitive Damages – More Than Just a Maritime Issue

Daniel Stanton, Kean Miller LLP

The implications of the remedies available to seamen are easily demonstrated by a scenario that occurs hundreds of times a year in the Gulf of Mexico: a personnel basket transfer.

Alongside a platform on the Outer Continental Shelf, a crew boat waits to receive a personnel basket on its cargo deck. The personnel basket is lowered using a crane operated by a production operator on the platform, and the deckhand stationed below on the vessel's deck is ready to receive the basket's tag line and guide it to the deck. While the basket is being lowered, the deckhand is struck by the basket and injured.

The deckhand does what only a Jones Act seaman can do: he sues his employer who owns the crew boat. The deckhand asserts causes of action for Jones Act negligence and unseaworthiness, and he also makes a claim for maintenance and cure, a workers' compensation-like remedy available to seamen. The deckhand also sues all third parties involved in the operation for negligence under general maritime law, including the crane operator's employer and the platform owner.

In the U.S. Fifth Circuit prior to 2009, the deckhand in this scenario could only recover compensatory damages, also known as pecuniary damages, for each of his claims. Until that time, courts generally held that seamen could not recover punitive damages due to the limitations of the Jones Act precluding non-pecuniary damages such as punitive damages. But in 2009, the U.S. Supreme Court changed that status quo in *Atlantic Sounding Co., Inc. v. Townsend*. 557

U.S. 404 (2009).

In *Townsend*, the Supreme Court permitted a seaman to recover punitive damages from his Jones Act employer for the "willful and wanton disregard" of the obligation to provide maintenance and cure benefits. Maintenance and cure are general maritime law obligations owed only to Jones Act seamen to provide benefits similar to those of traditional workers' compensation benefits. The *Townsend* court held that punitive damages are available in part because punitive damages existed under general maritime law before the 1920 passage of the Jones Act.

Since *Townsend*, the availability of punitive damages has been a controversial issue in the maritime world and is a growing concern of vessel owners and employers of Jones Act seamen. Several courts have read the holding of *Townsend* quite narrowly and awarded punitive damages only where the Jones Act employer's failure to provide maintenance and cure benefits was found to be willful and wanton. Other courts have focused less on *Townsend's* holding and more on its analysis and reliance on the fact that punitive damages have always been available for causes of action arising under general maritime law. Thus, while some courts read *Townsend* to limit the availability of punitive damages, others use Townsend to expand the availability of punitive damages. But district courts in the Fifth Circuit and the Fifth Circuit itself, where a great bulk of general maritime law is made, read *Townsend* to limit rather than expend the availability of punitive damages.

In *Scarborough v. Clemco Industries, et al.* the Fifth Circuit held that, if seamen could not claim punitive damages under the Jones Act against their employers, they were precluded from doing so against third parties. 391 F.3d 660 (5th Cir. 2004). The Fifth Circuit's analysis in Scarborough was largely based on its decision in *Guevera v. Maritime Overseas Corporation*, where the court prohibited the very type of claims at issue in *Townsend* fourteen years later and held that punitive damages could not be recovered for the willful and wanton disregard of a maintenance and cure obligation. 59 F.3d 1496 (5th Cir. 1995).

Townsend expressly abrogated Guevera. On its surface, the overruling of Guevera may seem inconsequential to non-Jones Act employers, but plaintiff lawyers immediately began attacking the viability of *Scarborough* after *Townsend*. Though they were successful in two Eastern District of Louisiana cases (one of which was later reversed), Scarborough has otherwise almost uniformly withstood such attacks. To date, the Fifth Circuit has yet to revisit Scarborough. For now, non-Jones Act employers are protected from punitive damages claims from seamen in the Fifth Circuit.

Following *Townsend*, plaintiff lawyers also attacked another punitive damage prohibition under general maritime law for claims of unseaworthiness. Unseaworthiness is a general maritime law cause of action only available to a Jones Act seaman against the owner of a vessel. It is a separate and distinct claim from a seaman's remedies under the Jones Act. Following its conservative tendencies, in *McBride v. Estis Well Service, LLC*, the Fifth Circuit rejected the availability of punitive damages for an unseaworthiness claim by distinguishing that claim from the general maritime law claim of maintenance and cure. 768 F.3d 382 (5th Cir. 2014) (en banc). But more recently the less-conservative Ninth Circuit Court of Appeals held that punitive damages are available for unseaworthiness claims in *Batterton v. Dutra Group*, creating a circuit split that propelled the issue to the Supreme Court. 880 F.3d 1089 (9th Cir. 2018).

On June 24, 2019, the Supreme Court released its decision in *Dutra Group v. Batterton* and resolved the split between the Fifth and Ninth Circuits. 588 U.S. ___ (2019). The Supreme Court's *Dutra* decision has been highly anticipated in the maritime world because it was the Court's first significant punitive damages case since *Townsend*. The decision was expected to provide guidance on *Townsend's* future application and on the availability of punitive damages for other types of claims such as claims by seamen against third parties. Would *Dutra* supply any ammunition to those looking to attack *Scarborough*, and should non-Jones Act employers be prepared for punitive damages exposure?

In its decision in *Dutra*, the Supreme Court agreed with the Fifth Circuit and denied the recovery of punitive damages to seamen for unseaworthiness claims. In doing so, the Supreme Court reaffirmed the limited application of *Townsend* to cases involving maintenance and cure claims and provided an analysis that informs resolution of other general maritime punitive damages issues. The Court found that no historical basis exists for the recovery of punitive damages for unseaworthiness claims, and that permitting their recovery for such claims would not promote the uniform application of the relevant statutory framework. The Supreme Court also found that no policy grounds weighing in favor of permitting punitive damages for unseaworthiness claims exist. The *Dutra* opinion left *Townsend* intact and explains that the Court's rationale is consistent with *Townsend's* conclusion that punitive damages are available for the willful and wanton disregard of an obligation to provide maintenance and cure.

The *Dutra* court's analysis leaves the future viability of *Scarborough's* prohibition against punitive damage claims by Jones Act seaman against third parties in question. On one hand, *Dutra's* clear limitation of *Townsend* reduces the usefulness of that precedent to unseat *Scarborough* where maintenance and cure was not at issue. On the other

hand, ample Supreme Court precedent holds that punitive damages are available under the general maritime law, and the claims at issue in *Scarborough* were general maritime law claims. Based on the Court's reasoning in *Dutra*, the viability of *Scarborough* may depend on (1) whether punitive damages by seamen against third parties have historically been permitted; (2) whether permitting recovery of punitive damages conforms with the applicable statutory schemes; and (3) whether policy concerns demand the availability of punitive damages for seamen claims against third parties. These issues were not considered by the *Townsend* court, and *Scarborough* only addressed the second issue briefly.

It remains to be seen what new challenges to *Scarborough* will develop post-*Dutra*. If *Scarborough* is overturned, substantially more remedies would be available to the deckhand in the scenario above, at least in the Fifth Circuit. While allowing seamen to recover punitive damages from third parties would be viewed as an unwelcome development for many, actual recovery does not necessarily follow the right to recovery. Seamen will still have the burden to prove that their injuries were caused by willful or reckless conduct. But just the availability of punitive damages is sure to cause consternation in the defense of cases involving injured workers in a maritime context even where the facts of a case are unlikely to warrant an award of punitive damages. This is significant because punitive damages are uninsurable in some states. As a result, the mere allegation of punitive damages gives rise to a potentially uninsured claim, which could create a potential conflict between an insured and its insurer with respect to the defense against the claim and the settlement of the case.

Thus, those that work closely with vessels and their crews should keep abreast of the developments in this area of law that are sure to follow in the wake of *Dutra*.

Offshore Regulatory Update: A Busy May for the Department of Interior's Bureau of Safety and Environmental Enforcement

Sarah Y. Dicharry, Jones Walker LLP

In May 2019, the Department of Interior's Bureau of Safety and Environmental Enforcement (BSEE) issued an unusually large volume of new rules and Notices to Lessees (NTLs) covering a variety of issues, including (inter alia) well control, site clearance of decommissioned assets, maintenance of lease rights through suspensions of production (SOPs) and suspensions of operations (SOOs), and electronic data submissions. The recent publications include the following:

- Oil and Gas and Sulfur Operations in the Outer Continental Shelf – Blowout Preventer Systems and Well Control Revisions, 84 Fed. Reg. 21908 (May 15, 2019) (Final Rule) (the 2019 Well Control Rule);
- NTL No. 2019-N04, Calculating Maximum Anticipated Surface Pressure and Expected Surface Pressure for the Completion Case and Estimated Shut-in Tubing Pressure Prior to Production (May 10, 2019);
- NTL No. 2019-G02, Guidance for Information Submissions Regarding Proposed High Pressure and/or High Temperature (HPHT) Well Design, Completion, and Intervention Operations (May 10, 2019);
- NTL No. 2019-G03, Guidance for Information Submissions Regarding Site Specific and Non-Site Specific HPHT Equipment Design Verification Analysis and Design Validation Testing (May 10, 2019);
- NTL No. 2019-G04, Requesting Approval to Consider External Hydrostatic Pressure Effects When Calculating Internal Pressure Containment Capability for Pressure Containing and Pressure Controlling Subsea Equipment (May 9, 2019);
- NTL No. 2019-G05, Site Clearance and Verification for Decommissioned Wells, Platforms, and Other Facilities (May 9, 2019);
- NTL No. 2019-G01, Suspension of Production/Operations Overview (May 7, 2019);
- NTL No. 2019-N01, Electronic Submittal System for Deepwater Operations Plans (May 3, 2019); and
- NTL No. 2019-N02, Electronic Submittal of Requests, Reports, and Notifications (May 3, 2019).

The following discussion focuses on two of the rules and NTLs issued earlier this year—the 2019 Well Control Rule and NTL No. 2019-G01, Suspension of Production/Operations Overview.

2019 Well Control Rule

On May 15, 2019, BSEE published the 2019 Well Control Rule, which revised certain regulatory requirements for blowout preventers, well design, and well control equipment that BSEE promulgated in 2016. This rule followed the issuance of Presidential Executive Orders 13783 (March 28, 2017) and 13795 (April 28, 2017), which directed agencies to advance the administration's policy of encouraging domestic, offshore oil and gas production while prioritizing safety and environmental protection, and the Secretary of Interior's Secretarial Order No. 3350 (May 1, 2017), which directed BSEE to review the 2016 regulations.

With the 2019 Well Control Rule, BSEE made targeted changes to the 2016 regulations to "reduce unnecessary burdens on industry without affecting key provisions [of the 2016 regulations] that have a significant impact on improving

safety and equipment reliability." 84 Fed. Reg. at 21912. The 2019 Well Control Rule incorporates a number of industry standards by reference and revises or supplements 71 of the 342 provisions included in the 2016 regulations. Id. at 21909. The revisions address a range of topics, including the default drilling margin requirement, requirements for responding to lost circulation events, required shearing capabilities, required frequency for BOP testing, and third-party verification requirements. The 2019 Well Control Rule will become effective in July 2019.

On June 11, 2019, a number of environmental groups, including (among others) Sierra Club, Natural Resources Defense Council, and Center for Biological Diversity, filed a lawsuit in the Northern District of California challenging the 2019 Well Control Rule. Complaint, *Sierra Club et al. v. Angelle et al.*, No. 3:19-cv-03263 (N.D. Cal. *filed* 6/11/2019).

NTL No. 2019-G01 (Suspension of Production/Operations Overview)

In addition to the 2019 Well Control Rule, BSEE issued eight NTLs in May 2019, bringing the total number of NTLs issued this year to ten—already doubling the total number of NTLs issued during 2018. Perhaps the most significant of BSEE's recent NTLs is NTL No. 2019-G01, which updates BSEE's guidance regarding SOOs and SOPs for the first time in nearly a decade.

In NTL 2019-G01, BSEE incorporates standards from a few different sources apart from the regulations, including Solicitor's Opinion M-37019 (January 15, 2009) and the decision of the Director, DOI Office of Hearings and Appeals, in *Statoil Gulf of Mexico LLC*, 42 OHA 261 (2011). For example, BSEE's NTL makes it clear that, for an SOP application to be timely, it is necessary both (1) that BSEE receive the application before the deadline for initiating leaseholding operations, such as drilling, reworking, or production (a requirement articulated in Solicitor's Opinion M-37019), and (2) that, before that same date, the applicant make "a definitive decision…to bring the discovered hydrocarbons…on production" (as articulated in the *Statoil* decision).

Applying additional requirements from the Statoil decision, BSEE further clarified what is required to demonstrate a "commitment to production" (CTP) in a SOP request submitted pursuant to 30 C.F.R. § 250.171(d). For instance, the NTL makes it clear that an operator must "complete exploration and delineation drilling as a prerequisite for a credible CTP" and "also demonstrate that [it] ha[s] enough technical information, drilling results, etc., to determine that [its] project is an economic venture[.]" NTL 2019-G01, p. 2. Additionally, when an operator's SOP request is based on the operator's negotiations for use of another entity's production facility, NTL 2019-G01 requires that "the relevant parties must have committed to such use of the facility…before the date the lease would otherwise expire." Id. (reflecting the Statoil decision's reversal of the previous policy of granting SOPs for the express purpose of obtaining time to negotiate for the use of production handling facilities).

NTL 2019-G01 also creates a clearer avenue to obtain an SOP based on the need for technological development. It states:

> If technology (e.g., high-pressure and/or high-temperature technology) is being developed that is necessary for [a] project's drilling, completion, and/or production operations, and that technology is at a sufficient stage of development that it can and will be designed, fabricated, and ready for use within the same timeframe needed to design, construct, and install the production facility, BSEE may grant an SOP (provided that all applicable SOP requirements have been satisfied[.]).

Id. at 5.

All of BSEE's recently issued NTLs, including NTL 2019-G01, are available on BSEE's website at https://www.bsee.gov/guidance-and-regulations/guidance/notice-to-lessees.

Leadership Class Highlights – Part 2

In July 2018, a committee within the Institute for Energy Law selected 35 unique and motivated individuals working in the energy law sector to be part of IEL's Inaugural Leadership Class. In the previous issue of The Energy Dispatch, we published Part 1 of a two-part series of short highlights on each of the members of the Leadership Class. Below is Part 2 of the highlights for these impressive class members.

Cristina Mulcahy, Stein & Brockmann, P.A., Santa Fe, New Mexico

In what states are you licensed to practice law? New Mexico and Texas

What is your favorite legal movie or TV show? "On the Basis of Sex" is my favorite legal movie. So inspiring!

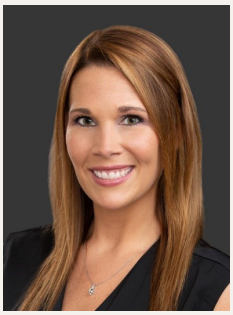
What do you like most about being part of the IEL YEP group? How long is my response to this question permitted to be? Okay, I'll limit my response to top two favorite parts of being in the IEL's YEP group. Making connections, both personal and professional,

with so many other IEL YEP members from all over the country who practice in so many different areas of energy law is my most favorite aspect of being involved with the IEL YEP group. The programming that IEL puts on for its YEP folks is my next favorite. IEL's YEP programing is not only practical but also in-depth enough to actually provide some real guidance on many energy law issues.

Do you prefer ice cream in a bowl or in a cone? Well, I'm allergic to dairy so I prefer sorbet. And definitely in a cone that's chocolate dipped. Is there another way to eat frozen treats?

Little known fact: Most people know that I was a member of the Women's Varsity Crew Team in College but few people know that I walked on—as opposed to being recruited—to the Crew Team and was then named "Most Valuable Oarswoman" my junior year.

Sarah Nealis Bohan, The Law Offices of Sarah Nealis Bohan PLLC, Bridgeport, West Virginia



In what states are you licensed to practice law? Texas and West Virginia

What is your favorite legal movie or TV show? A Few Good Men and Suits

What do you like most about being part of the IEL YEP group? I really enjoy that we are all energy attorneys but many of us have very different practices. I like learning about the different legal issues my clients may be dealing with or may deal with in the future that are outside the typical scope of my practice. It gives me a more well-rounded understanding of the industry.

Do you prefer ice cream in a bowl or in a cone? In a bowl with a cone on top

Little known fact: I do not know how to ride a bike, and it blows my mind that it comes so easily to some people.

Tina Nguyen, Baker Botts LLP, Houston, Texas

In what states are you licensed to practice law? Texas

What is your favorite legal movie or TV show? The Good Wife

What do you like most about being part of the IEL YEP group? Meeting new, interesting people while also learning about the latest in energy law.

Do you prefer ice cream in a bowl or in a cone? Too hard–I'll take any ice cream!

Little known fact: My earliest memories include me working at the family business. There would be a stool for seven-year-old me that I would climb and take a passport picture for a client, which I would then develop, cut, bag, and ring up at the cashier. In retrospect, I cannot believe someone would actually trust a young kid like me! But yet they did, and I grew up spending my Saturdays at the family office earning my keep so that I could save up for the latest toy.

Kelly O'Bryan da Mota, Cimmaron Land, Inc., Bridgeville, Pennsylvania

In what states are you licensed to practice law? I am licensed to practice law in Texas.

What is your favorite legal movie or TV show? My favorite legal movie is My Cousin Vinny.

What do you like most about being part of the IEL YEP group? What I like most about being part of the IEL Leadership Class is the opportunity to meet a great and diverse group of people. I have gotten to know a wide variety of attorneys with a range of practice areas within the energy industry all throughout (and even outside of) the U.S.

Do you prefer ice cream in a bowl or in a cone? I like ice cream in a bowl.

Little known fact: I worked as an aerobics instructor when I was in college.

Bryon Rice, Hicks Davis Wynn, P.C., Houston, Texas

In what states are you licensed to practice law? Texas

What is your favorite legal movie or TV show? A Few Good Men

What do you like most about being part of the IEL YEP group? Meeting and interacting with interesting and talented lawyers from different areas of the country and different aspects of the energy industry.

Do you prefer ice cream in a bowl or in a cone? Bowl

Little known fact: I was raised on livestock operations in central Kansas and southeast Oklahoma.

Tracey Rice, Copeland & Rice LLP, Houston, Texas

In what states are you licensed to practice law? Texas

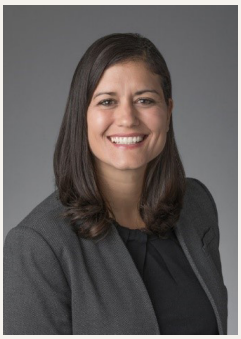
What is your favorite legal movie or TV show? Legally Blonde of course!

What do you like most about being part of the IEL YEP group? Meeting new people.

Do you prefer ice cream in a bowl or in a cone? I prefer cake.

Little known fact: : I left Vinson & Elkins to open my current litigation boutique when I was a 31 year-old, single mother. It was a scary decision, and I am proud that I had the courage to do it.

Betty Richmond, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, Houston, Texas



In what states are you licensed to practice law? Texas and Louisiana

What is your favorite legal movie or TV show? Ally McBeal

What do you like most about being part of the IEL YEP group? Building relationships with fun and diverse YEPs.

Do you prefer ice cream in a bowl or in a cone? Cone

Little known fact: I can juggle.

Bianca Roberson, Shell Oil Company, Houston, Texas

In what states are you licensed to practice law? Texas

What is your favorite legal movie or TV show? Scandal! Duh!

What do you like most about being part of the IEL YEP group? It is really something to be around like-minded individuals who are having similar experiences, both professionally and personally.

Do you prefer ice cream in a bowl or in a cone? Bowl

Little known fact: I love frito pie. So much so, I served it at my wedding.

Jay Rothrock, Vinson & Elkins LLP, Washington, D.C.

In what states are you licensed to practice law? Washington, DC and Texas

What is your favorite legal movie or TV show? Damages

What do you like most about being part of the IEL YEP group? The opportunity to connect with energy industry colleagues at numerous IEL programs throughout the year and across the country. The networking and social events that IEL includes as a part of these programs has resulted in a genuine camaraderie among the YEP group.

Do you prefer ice cream in a bowl or in a cone? Bowl

Little known fact: I lived abroad for about seven months in 2004, spending three months in Tokyo, one month in various cities in Italy, and three months in Paris.

Brittany Salup, Chevron Upstream Law, Covington, Louisiana

In what states are you licensed to practice law? Louisiana

What is your favorite legal movie or TV show? A Few Good Men

What do you like most about being part of the IEL YEP group? The opportunity to meet and connect with other YEP members around the country.

Do you prefer ice cream in a bowl or in a cone? Cone!

Little known fact: I just started cooking my way through every recipe in *Taste & Technique: Recipes to Elevate Your Home Cooking* by Naomi Pomeroy, who is a self-taught, James Beard Award-winning chef.

Rachel Scarafia, Kean Miller LLP, New Orleans, Louisiana

In what states are you licensed to practice law? Louisiana and Florida

What is your favorite legal movie or TV show? Law and Order SVU

What do you like most about being part of the IEL YEP group? Meeting new people and learning more about energy law practice.

Do you prefer ice cream in a bowl or in a cone? Bowl

Little known fact: My maternal grandparents were deaf and I can sign at an elementary level.

Jessica Schmidt, Holland & Hart LLP, Denver, Colorado

In what states are you licensed to practice law? Colorado and North Dakota

What is your favorite legal movie or TV show? Shawshank Redemption

What do you like most about being part of the IEL YEP group? The national reach of the program because it provides such a great opportunity to meet other engaged energy lawyers from across the country.

Do you prefer ice cream in a bowl or in a cone? That's easy, cone

Little known fact: I cycled in the MS150 Colorado Ride for seven consecutive years on my family's team.

Meghan Smith, Jones Walker LLP, New Orleans, Louisiana

In what states are you licensed to practice law? Louisiana

What is your favorite legal movie or TV show? Arrested Development's episodes dealing with the legal system and attorneys in general are some of my favorite representations on TV. As far as movies, Legally Blonde and My Cousin Vinny are tops. I guess I prefer legal comedy in my fiction because there is too much legal drama in reality!

What do you like most about being part of the IEL YEP group? Meeting young professionals who have such diverse and varied practices. The hyper-specialization of our generation of lawyers makes it vital to connect with folks that can help round out your own base of knowledge or be able to point clients and colleagues to the real experts in any given area.

Do you prefer ice cream in a bowl or in a cone? In a bowl, with a lot of candy on top.

Little known fact: I have tried to follow the Rolling Stones on tour since 2012 (when I was convinced it was their last tour). So far I have seen them in concert on three continents and six countries.

Trevor Smith, The Williams Companies, Inc., Tulsa, Oklahoma

In what states are you licensed to practice law? Oklahoma

What is your favorite legal movie or TV show? Shark or Suits

What do you like most about being part of the IEL YEP group? The opportunities to hear and speak to so many energy-based in-house counsel.

Do you prefer ice cream in a bowl or in a cone? Bowl

Little known fact: I have stepped on a rattle snake without being bitten on three different occasions in my life.

Aditi Suresh, White & Case LLP, New York, New York

In what states are you licensed to practice law? Texas and India

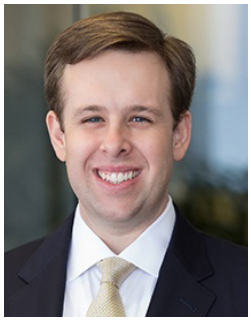
What is your favorite legal movie or TV show? Inherit the Wind

What do you like most about being part of the IEL YEP group? The synergy between various industry participants in the energy space and the opportunity to network.

Do you prefer ice cream in a bowl or in a cone? Bowl :)

Little known fact: I aspire to obtain a certification in fitness training.

Justin Tschoepe, McKool Smith, Houston, Texas



In what states are you licensed to practice law? Texas

What is your favorite legal movie or TV show? A Time to Kill

What do you like most about being part of the IEL YEP group? I like the ability to meet and talk with colleagues who practice in diverse areas within the energy industry, which helps provide an understanding of just how large an impact the industry has and the scope of practice areas it affects.

Do you prefer ice cream in a bowl or in a cone? Bowl.

Lauren Woodard, Shell Oil Company, Houston, Texas

In what states are you licensed to practice law? Texas

What is your favorite legal movie or TV show? It's a tie between Legally Blonde and Presumed Innocent.

What do you like most about being part of the IEL YEP group? Everyone is really enthusiastic and happy to be part of the group.

Do you prefer ice cream in a bowl or in a cone? Bowl...with chocolate chips and sprinkles

Little known fact: I have flown in the Goodyear Blimp

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